

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	0

MR. SPEAKER:

*Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 330, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1 Page 4, between lines 13 and 14, begin a new paragraph and insert:
2 "SECTION 2. IC 20-26-11-11, AS ADDED BY P.L.246-2005,
3 SECTION 131, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) A school corporation may
5 enter into an agreement with:
6 (1) a nonprofit corporation that operates a federally approved
7 education program; or
8 (2) a nonprofit corporation that:
9 (A) is exempt from federal income taxation under Section
10 501(c)(3) of the Internal Revenue Code;
11 (B) for its classroom instruction, employs teachers who are
12 certified by the department;
13 (C) employs other professionally and state licensed staff as
14 appropriate; and

- 1 (D) educates children who:
- 2 (i) have been suspended, expelled, or excluded from a public
- 3 school in that school corporation and have been found to be
- 4 emotionally disturbed;
- 5 (ii) have been placed with the nonprofit corporation by court
- 6 order;
- 7 (iii) have been referred by a local health department; ~~or~~
- 8 (iv) have been placed in a state licensed private or public
- 9 health care or child care facility as described in section ~~8(b)~~
- 10 **8** of this chapter; **or**
- 11 **(v) have been placed by or with the consent of the**
- 12 **department under IC 20-35-6-2;**

13 in order to provide a student with an individualized education program

14 that is the most suitable educational program available.

15 (b) If a school corporation that is a transferee corporation enters into

16 an agreement as described in subsection (a), the school corporation

17 shall pay to the nonprofit corporation an amount agreed upon ~~from the~~

18 ~~transfer tuition of the student. The amount agreed upon that~~ may not

19 exceed the **total of:**

- 20 **(1) the transfer tuition costs for the student** that otherwise would
- 21 be payable to the transferee corporation; **and**
- 22 **(2) a proportionate amount of any state distributions to the**
- 23 **transferee corporation that are computed in any part using**
- 24 **ADM or any other student count in which the student is**
- 25 **included, if the transferee corporation includes the student in**
- 26 **the transferee corporation's ADM for a school year.**

27 (c) If a school corporation that is a transferor corporation enters into

28 an agreement as described in subsection (a), the school corporation

29 shall pay to the nonprofit corporation an amount agreed upon, which

30 may not exceed **the total of:**

- 31 **(1) the transfer tuition costs that otherwise would be payable to a**
- 32 **transferee school corporation; and**
- 33 **(2) a proportionate amount of any state distributions to the**
- 34 **transferor corporation that are computed in any part using**
- 35 **ADM or any other student count in which the student is**
- 36 **included, if the transferor corporation includes the student in**
- 37 **the transferor corporation's ADM for a school year."**

38 Page 5, line 5, strike "or".

- 1 Page 5, line 6, delete "." and insert "; **or**
- 2 **(v) by or with the consent of the department under**
- 3 **IC 20-35-6-2."**
- 4 Renumber all SECTIONS consecutively.
(Reference is to SB 330 as reprinted January 30, 2007.)

and when so amended that said bill do pass.

Representative Summers